

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No. 11-03038-01-CR-SW-RED
)	
ADAM HAMMOND,)	
)	
Defendant.)	

MOTION FOR FINAL ORDER OF FORFEITURE

The United States of America respectfully requests that this Court enter a Final Order of Forfeiture in the above-styled case. In Support of its motion, the United States sets forth the following suggestions.

Supporting Suggestions

1. On September 28, 2011, a federal grand jury sitting in the Western District of Missouri returned a three-count Superseding Indictment against defendant Adam Hammond (Hammond). Count One charged that Hammond used a facility and means of interstate commerce, that is the internet and the cellular telephone network, to attempt to knowingly persuade, induce, and entice an individual whom he believed to be less than eighteen years of age, to engage in sexual activity for which a person can be criminally charged under the laws of the State of Missouri. Missouri law prohibits any person from engaging in deviate sexual intercourse, including oral sexual intercourse, with another person who is less than fourteen years of age, in violation of U.S.C. § 2422(b). Count Three charged that Hammond, employed, used, persuaded, induced, enticed, and coerced a minor, Jane Doe, to engage in sexually explicit conduct for the purpose of producing a

visual depiction of such conduct, which visual depiction was produced using materials that had been mailed, shipped, and transported in interstate and foreign commerce, all in violation of 18 U.S.C. § 2251(a) and (e).

2. The Superseding Indictment also contained a Forfeiture Allegation that alleged, pursuant to 18 U.S.C. § 2253, that as a result of being convicted one or more of the offenses alleged in Counts One and Three of the Superseding Indictment, Hammond shall forfeit to the United States a Samsung cellular telephone, bearing serial number RP4S6888684T.

3. On November 3, 2011, Hammond entered a guilty plea to Counts One and Three of the Superseding Indictment, and admitted the allegations as charged in the Forfeiture Allegation, thereby agreeing to forfeit to the United States the property described above.

4. By virtue of Hammond's guilty pleas, this Court entered a Preliminary Order of Forfeiture regarding the subject property on December 30, 2011. (Doc. 26.)

5. In accordance with 21 U.S.C. § 853(n)(1), the United States properly published notice of the forfeiture of the above-described property and the requirements for filing a claim for the property on the Internet site www.forfeiture.gov for at least thirty consecutive days, beginning on January 10, 2012, and ending February 8, 2012. An Affidavit of Publication was filed on February 9, 2012, specifying the details of this publication. (Doc. 29.) Pursuant to 21 U.S.C. § 853(n)(2), any person asserting a legal interest in the property subject to forfeiture may, within thirty days of the final publication of notice, or of receipt of actual notice, whichever is earlier, petition the Court for a hearing to adjudicate the validity of his/hers/its alleged interest in the property. No claims were filed within that thirty-day period. Therefore, any third-party interests are barred by failure of those parties to file a timely petition.

Accordingly, the United States respectfully requests that this Court enter a final order of forfeiture with respect to the property described above and in the Forfeiture Allegation of the Superseding Indictment.

Respectfully submitted,

Beth Phillips
United States Attorney

By */s/ Robyn L. McKee*
Robyn L. McKee
Assistant United States Attorney
Mo. Bar #42971
901 St. Louis St., Ste. 500
Springfield, MO 65806-2511
(417) 831-4406 telephone
(417) 831-0078 facsimile
robyn.l.mckee@usdoj.gov

CERTIFICATE OF SERVICE

I hereby certify that on February 21, 2012, a true and correct copy of the foregoing document was filed with the Court using the Court's CM/ECF system and was served upon each attorney of record via ECF notification.

/s/ Robyn L. McKee
Robyn L. McKee
Assistant United States Attorney